

U.S. Patent Application Serial No. **10/578,335**
Response filed April 5, 2010
Reply to OA dated January 7, 2010

REMARKS

Claims 1-16 remain pending in this application, of which claims 1, 2 and 5-8 are hereby amended. The applicant respectfully submits that no new matter has been introduced by the amendments.

Objection to the Title of the Invention

The Examiner objected to the title of the invention, stating that it is not sufficiently descriptive.

The applicant hereby amends the title to “CONTENT RECORDING APPARATUS CAPABLE OF RECORDING LONG CONTENT OUTPUT.” Support for this amendment can be found on page 1, line 25, to page 2, line 2, which specifies that the claimed invention relates to a content recording apparatus that allows recording a long-time content onto a recording medium without increasing the capacity of an internal memory of the recording apparatus. Accordingly, this objection should be withdrawn.

Obviousness Rejection

Claims 1-16 stand rejected under 35 U.S.C. 103(a) as obvious over U.S. Patent No. 6,928,234 to Tsujii et al in view of U.S. Patent No. 6,546,192 to Hisatomi et al.

In particular, the Examiner alleged that the only difference between the showings of Tsujii and the invention recited in claim 1 is that “claim 1 requires the created and recorded index information to be information that point to the reference positions that were assigned to the content: i.e., wherein, in contrast, the system disclosed by Tsujii et al. stores indexed picture information itself.” The Examiner further alleged that Hisatomi shows that it was known “that the storing of pointer information was preferred in that it advantageously reduced the amount of storage space that was required to stored the indexed stream by eliminating the need to store the thumbnail images [See lines 43-63 of column 16].” Thus, the Examiner argued that it would have been obvious to obtain the claimed invention by modifying Tsujii in view of Hisatomi. (Action, pages 2-3) The applicant respectfully disagrees with the Examiner.

As explained in the specification, in the prior art devices, a plurality of frames of still images are recorded on a recording medium while the index information for managing the frames is stored in an internal memory of the recording device until the recording operation is terminated. Only after the recording operation is terminated, the index information accumulated in the internal memory is recorded onto the recording medium. Thus, a large internal memory is necessary for a recording apparatus to be able to record a motion picture for a prolonged time period. (Specification, p. 1, lls. 9-20).

On the other hand, in the claimed content recording apparatus, the “position information pointing a plurality of positions on the content output” is recorded to the recording medium

U.S. Patent Application Serial No. 10/578,335
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intermittently (“every time that said reference position” is reached) while the content output is being recorded onto the recording medium (“in parallel”). Neither of the recited references discloses or suggests such a recording apparatus.

While the Examiner alleged in the Action that Hisatomi discloses storing pointer information as an index information in motion picture recording, the applicant notes that Hisatomi generally relates to a new playback method of motion pictures, rather than to a new method of recording motion pictures. For example, the motion picture data recording methods to be used with Hisatomi’s playback device are the typically known compression techniques such as MPEG2 or AC3 (Hisatomi, col. 1, lls. 25-33). Further, while Hisatomi briefly describes a data recording operation in columns 15 and 16 of Hisatomi, Hisatomi specifically teaches that its recording apparatus stores the index information used for managing the content of the motion picture in an internal memory of the recording device until the recording operation is terminated. Once the recording operation is terminated, the index information is recorded to the recording medium.

For example, column 16, lines 3-7, of Histomi states as follows:

At the time of termination of the recording operation, information necessary for the volume & file management area 70 and the playback control information 102 of the control information [the index information] are recorded and the recording operation is terminated.

In other words, Hisatomi teaches storing the index information required for managing the still images in the internal memory of the recording device until the recording operation is terminated, just like in the prior art devices discussed in the present application. Thus, Hisatomi fails to disclose or suggest the claimed recording apparatus in which the position information is recorded onto the recording medium every time a reference position is specified as now recited in claim 1.

In addition, while the Examiner alleged that Tsuji's thumb nail pictures depicted in Fig. 10 of Tsuji disclose something analogous to the recited "position information point," Tsuji's thumb nail pictures are merely a reduced version of a still images in a motion picture which are used to refer to a specific position in the motion picture during its playback and editing. As the Examiner pointed out in the Action, the thumb nail pictures are not the same as "position information pointing a plurality of positions on the content output." In fact, the two are completely different and not interchangeable in its function or results. The thumb nail pictures does not provide information to the playback device regarding managing the frames like the claimed position information, and the thumb nail pictures would not allow the playback device to playback the motion picture unless Tsuji's method also includes a separate step of recording the index information to the recording medium sometime during or after the recording of the content output.

There is no indication in the Tsuji reference that its recording method involves intermittently recording "position information" required for managing the frames of still images forming the

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motion picture while the content output is being recorded to the recording medium as claimed. Thus, there is no basis to presumed that Tsujii's recording method would involve something other than recording the index information once the recording operation is terminated as in the prior art devices discussed in the present application. Thus, Tsujii's device cannot be modified in view of Hisatomi's in the manner suggested by the Examiner to arrive at the claimed content recording apparatus.

Accordingly, the recording apparatus of claim 1 would not have been obvious in view of the devices disclosed in Tsujii and Hisatomi, singly or in combination. Claims 2-16 depend from claim 1. Thus, the applicant respectfully requests the Examiner to withdraw this rejection.

Further, with respect to claim 4, the applicant notes that neither Tsujii nor Hisatomi discloses or suggests recording the claimed position information pointing to a "plurality of positions including said reference position and a non-reference position" into the recording medium intermittently while the content output is being recorded as claimed. This provides an additional reason for withdrawing this rejection from claim 4, and from claim 12 which depends therefrom.

There is no additional objection or rejection outstanding in this application. Thus, in view of the above, claims 1-16 are each believed to be in condition for allowance, which action, at an early date, is respectfully requested.

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If, for any reason, it is felt that this application is not now in condition for allowance, the Examiner is requested to contact the applicant's undersigned attorney at the telephone number indicated below to arrange for an interview to expedite the disposition of this case.

In the event that this paper is not timely filed, the applicant respectfully petitions for an appropriate extension of time. Please charge any fees for such an extension of time and any other fees which may be due with respect to this paper, to Deposit Account No. 01-2340.

Respectfully submitted,

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